



City of Rochester

Department of Law
City Hall Room 400A, 30 Church Street
Rochester, New York 14614-1295
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Linda S. Kingsley
Corporation Counsel

January 12, 2023

Hon. Frank Geraci
United States District Court Judge
United States District Court
Western District of New York
100 State Street
Rochester, N.Y. 14614

Via Hand Delivery

Re: **Hushla v City of Rochester**
22-cv-06039 FPG

Dear Judge Geraci,

Please accept this correspondence as my request for a conference with the court and counsel concerning a social media publication made by counsel for the plaintiff in the above referenced matter. Due to the nature of this matter, this correspondence has not been publically filed.

On Monday January 9, 2023 my office was advised of a Twitter post purportedly by plaintiff's counsel Nathan McMurray, Esq. This came by way of a preservation demand from another attorney who is pursuing claims versus the City on behalf of various plaintiffs.

The post on Twitter by the account of "Nate McMurray @Nate_McMurray" stated that the video displayed on the post depicted "framed photographs" from a Rochester Police Department substation depicting "citizens beaten and bloodied – being dragged through the streets." The post continues: "Rochester NYPD where is your decency." A copy of the post and the referenced language is enclosed for your reference.

I necessarily directed the preservation of such photographs and reviewed them personally. It became immediately apparent that these photographs did not contain any depictions of beaten and bloodied citizens. The prospect that this inaccurate and incendiary post appeared to have been made by an officer of the court representing a plaintiff in the very incident about which he is posting is quite disturbing and would appear to be highly inappropriate at a minimum. Additionally, the claims that Rochester police officers were dragging citizens beaten and bloodied through the streets and some of the comments that followed raised serious concerns as to potential responses which I believe endanger both our police officers and citizenry. Indeed, some of the responses to the post appear to encourage violence against the RPD.

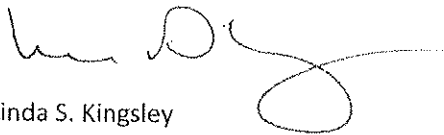


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While Twitter indicates that the @Nate_McMurray account is "verified," I do not wish to make any sort of accusation of inappropriate conduct without verification. Accordingly, I respectfully request an in-person conference with the court and Mr. McMurray to discuss this matter. I can make myself available at the court's convenience any time January 13, or January 17 – 20.

Thank you for your time and consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. Kingsley", with a large, stylized loop at the end.

Linda S. Kingsley
Corporation Counsel
City of Rochester

Enc.

Cc: Nathan McMurray, Esq.

1:03

LTE

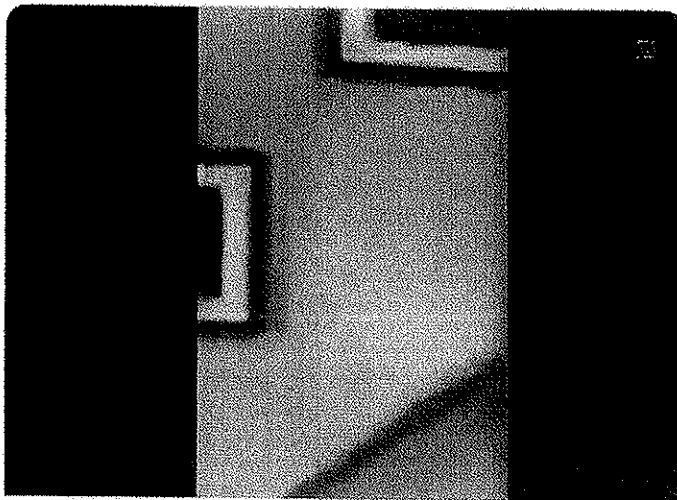


Tweet



Nate McMurray
@Nate_McMurray

Rochester NY has a real problem...
Inside the Child Street Police Station
are framed pictures of citizens beaten
and bloodied—being dragged through
the streets—after protesting the
killing of Daniel Prude.
Like trophies!
@RochesterNYPD where is your
sense of decency?



Tweet your reply

